

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

NICHOLAS MARTIN on behalf of himself and	)	
others similarly situated,	)	
	)	No. 11-cv-03104
Plaintiff,	)	
v.	)	Judge Charles P. Kocoras
	)	
MIDLAND FUNDING, LLC,	)	Magistrate Judge Morton Denlow
	)	
Defendant.	)	

**MIDLAND FUNDING LLC’S AGREED MOTION FOR  
EXTENSION OF TIME TO RESPOND TO PLAINTIFF’S COMPLAINT**

Defendant, Midland Funding, LLC (“Midland”), respectfully moves for an extension of time to respond to Plaintiff’s Complaint, and in support, states as follows:

1. Plaintiff’s Complaint was filed on May 10, 2011. (Dkt. No. 1.) On or about May 11, 2011, Midland was served with the Complaint and Summons. (*See* Dkt. No. 7.) Thus, MCM’s responsive pleading was due on June 1, 2011. (*See id.*)
2. On May 17, 2011, Defendant was also served with a substantially similar putative class action, *Scardina v. Midland Credit Management, Inc., Midland Funding LLC, and Encore Capital Group, Inc.* (“Scardina”), Case No. 11-cv-03149, alleging identical violations of the Telephone Consumer Protection Act, on behalf of a substantially overlapping putative class.
3. On July 5, 2011, undersigned counsel contacted Plaintiff’s counsel to discuss potentially consolidating *Scardina* with the instant action, given the overlapping issues and class periods.
4. Therefore, Midland requests additional time, up to and including July 20, 2011, to file its responsive pleading to Plaintiff’s Complaint. Plaintiff has no opposition to this motion.

WHEREFORE, Defendant, Midland Funding, LLC, respectfully requests this Court grant an extension of time, up to and including July 20, 2011, to file its responsive pleading to Plaintiff's Complaint and for any other further relief this Court deems just and appropriate.

Dated: July 6, 2011

Respectfully submitted,

**MIDLAND FUNDING LLC**

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**CERTIFICATE OF SERVICE**

I hereby certify that on **July 6, 2011**, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which sent notification of such filing to the following:

Alexander H. Burke (aburke@burkelawllc.com)

s/ Renee L. Zipprich

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